

SN 09/929,111

Atty Dkt No. GP-301052 (GP-0357PUS)

### Remarks

Claims 1-15 are pending. Claims 7-15 are allowed. Claim 1 has been objected to. Claims 1-6 are rejected, have been amended to provide a clear and concise description on how a pallet is to be structurally configured and are believed to be allowable. This Amendment is intended to be fully responsive to the Final Office Action mailed April 9, 2003 and has been filed in response to the examiner's Response to Arguments that Applicant failed to provide a clear and concise description on how a pallet is to be structurally configured.

#### Claim Rejections - 35 U.S.C. §103

Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Crews Jr. '281 in view of Krainski Jr. '175.

The examiner has indicated as a reason for allowability that the Applicant's method steps for monitoring clamp loads on a production test pallet are neither disclosed nor suggested in any of the available prior art. And, in response to Applicant's arguments, the examiner further noted the failure of claims 1-6 to provide a clear and concise description of how a pallet is to be structurally configured. Accordingly, claim 1 has been amended to describe the pallet configuration and to reflect this reason for allowability. The Amendment is supported in the specification at page 2, lines 11-16 and page 3, lines 5-10.

Neither Crews Jr. nor Krainski Jr. teach "substituting a test part for the production part" wherein the "test part includes at least one clamp portion in the same location as a clamp portion on said production part" and wherein the test part "is configured with sufficient size and shape so that the test part interfaces in a like manner as a production part in position in the machining fixture." Currently amended claim 1 is believed to describe the pallet clearly and concisely and to distinguish the prior art in a manner to be allowable.

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Claims 2-3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Crews Jr. '281 in view of Krainski Jr. '175 and further in view of Shelor '099.

Neither Crews Jr., Krainski Jr. nor Shelor teaches a "pallet" as a stand-in or substitute for a "production pallet." Moreover, claims 2 and 3, as currently amended to provide a clear and concise description of the pallet, also distinguish these references by calling for a "test pallet configured with a clamp portion like said production pallet and with sufficient size and shape so that the test pallet interfaces in a like manner with a clamp registry of the station for machining but distinguished from said production pallet by being capable of recording data." The amendments are supported in the specification at page 3, lines 1-15 and page 4, lines 3-5.

The applied references, taken singly or in combination also fail to teach or suggest the combination defined by the amended claims 2 and 3 or the claimed configuration of the test pallet. Moreover, a teaching in Krainski Jr. "to stop the loading" can only be found using hindsight with Applicant's specification. More specifically and in addition to the current amendments to claim 2, the rejection fails when the test pallet is further comprised of "a test code operable to communicate at said (machining) station not to proceed with machining there" as defined in claim 3.

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Crews Jr. in view of Krainski Jr. and Shelor as applied to claim 2 above, and further in view of McClure et al. '264.

Here, too, neither Crews Jr., Krainski Jr., Shelor nor McClure teach a "pallet" as a stand-in or "substitute for a production pallet," as now claimed in currently amended claim 2 from which claim 4 depends. Nor is there a teaching for combining these four references except in the Applicant's specification. And any modification of Crews, Jr. using the teachings of Shelor still fails to make obvious the claimed configuration of the test pallet.

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Claims 5-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Crews Jr. in view of Krainski Jr. and Shelor as applied to claim 2 above, and further in view of Piety et al. '874.

Both claims 5 and 6 distinguish these references by the limitation in currently amended claim 2 from which they depend. Claim 2 calls for a "test pallet configured with a clamp portion like said production pallet and with sufficient size and shape so that the test pallet interfaces in a like manner with a clamp registry of the station for machining but distinguished from said production pallet by being capable of recording data."

Piety et al., like Crews Jr., Krainski Jr. and Shelor, is not a "pallet" as a stand-in or "substitute for a production pallet" and thus is not relevant to show or suggest the limitations of amended claim 2 and its dependent claims 5 and 6.

Further as to claim 6, even if one skilled in the art recognized that downloaded data should be saved and evaluated, he/she would not know that such data should be collected by a "test pallet" of the claimed configuration in a machining station as a "substitute for a production pallet" and that the collected data then be used to monitor the machining of production parts as a preventative maintenance procedure before low or no clamp loads adversely impact part quality.

#### Claim Objections

Claim 1 is objected to because in the preamble the recitation of "to clamp" seems redundant. In response to the examiner's suggestion, "the" has been inserted between the words clamp in line 2 of claim 1.

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**CONCLUSION**

This Amendment is believed to be fully responsive to the Final Rejection mailed 04/09/2003. The allowance of claims 7-15 is appreciated. The objected to claim 1 has been amended as suggested by the examiner and the amendments to the rejected claims 1-6 and the remarks in support of the rejected claims are believed to place this Application in condition for allowance.

Respectfully submitted,

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